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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,467	10/22/2002	William A. Dodd JR.	1250.04	5647

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SMITH & HOPEN PA  
15950 BAY VISTA DRIVE  
SUITE 220  
CLEARWATER, FL 33760

EXAMINER

PATEL, RAMESH B

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/065,467

**Applicant(s)**

DODD, WILLIAM A.

**Examiner**

Ramesh B. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2, 3</u> . | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. Claims 1-31 are presented for examination.

#### **Information Disclosure Statement**

2. The information disclosure statements (IDS) submitted on 1/24/2003 and 6/23/2003 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements being considered by the examiner.

#### **Specification**

3. The abstract of the disclosure is objected to because the abstract contains the term "The present invention" and the abstract also includes the title, which is not appropriate for the language for the abstract. Correction is required. See MPEP § 608.01(b).
4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

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The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

5. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

6. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

**Claim Rejections - 35 USC § 112**

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the limitation(s) "A method for optimizing golf car deployment"; examiner is not sure how golf car deployment can be optimized, it appears to be not clear as to optimization of deployment of golf car or the associated information and/or data related to golf car, there is not a proper structural relationships between these limitation, it appears to be missing some information and/or it is not clear to interpret the structural relationship between the limitations.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the limitation(s) "the same time frame"; examiner is not sure in what relationship "the same time frame" is being stated and/or what it meant by "the same time frame", there is not a proper

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structural relationships between these limitation, it appears to be missing some information and/or it is not clear to interpret the structural relationship between the limitations.

Claims 16-18 recites the limitation "the step of modifying" in line 1 of claims 16-18. There is insufficient antecedent basis for this limitation in the claim.

Claim 19 recites the limitation "the step of concealing the identity..." in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 21 recites the limitation "the step of associating product warranty data..." in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 22 recites the limitation "the step of scheduling preemptive maintenance..." in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 23 recites the limitation "the step of transmitting battery performance..." in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 25 recites the limitation "the step of optimizing staffing schedules..." in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 26 recites the limitation "the step of optimizing the scheduled..." in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 28 recites the limitation "the step of establishing..." in line 1. There is insufficient antecedent basis for this limitation in the claim.

Dependent claims, which are not particularly rejected, are rejected based on the rejected base claim.

**Claim Rejections - 35 USC § 102**

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-31 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention. Claims 1-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Dodd, Jr. et al. (US Patent 5,930,742).

As to claim 1, Dodd, Jr. et al. teaches the invention including a method for optimizing golf car deployment information (data) comprising the steps of: recording golf car usage record based on axle revolutions is taught as the wheel fleet information

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processing and reporting system includes hubmeter on an axle of a vehicle that is being monitored with each rotation of the wheel associated with the axle and transmitted to microcomputer (see, abstract); associating a golf car identification with the usage record and communicating the usage record and associated identification to a data store and calculating total usage data for each golf car identification and reporting total usage data is taught as the computer collects all meter data and then transmits data to master database via modem wherein the master database processes raw data into meter change summary balanced fleet usage and maintenance data and reports are transmitted back to source via fax, email or standard mail (see, abstract and figures 4-12 and col. 4, line 29 to col. 5, line 21).

As to claims 2-7, Dodd, Jr. et al. teaches the method further comprising the steps of: calculating golf car rental income data for a predetermined time frame; calculating golf car usage data and comparing rental income data with usage data whereby discrepancies between data source from an accounting application and providing a software conduit for exporting golf car rental income data to the data store from an accounting application (see, abstract and figure 7-12 and col. 4, line 29 to col. 5, line 21).

As to claims 8-14, Dodd, Jr. et al. teaches the method further comprising the steps of: prioritizing the deployment of golf cars based on total usage data and communicating a priority order by a visual indicator which comprises at least one light



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emitting diode and LCD indicates deployment priority numerically, alphabetically, a battery capacity level and golf car position by GPS (see, abstract and col. 1, line 22 to col. 2, line 23 and col. 4, lines 29-67).

As to claims 15-19, Dodd, Jr. et al. teaches the method further comprising the steps of: grouping total usage into operational units, calculating a benchmark value across a plurality of operational units and comparing usage data of an individual operational unit against the benchmark value to qualify the relative success of the individual operational unit, (see, figure 7-12 and col. 4, lines 29-67).

As to claims 20-26, Dodd, Jr. et al. teaches the method further comprising the steps of: collecting golf car battery level data concurrently with usage data correlating battery level data and usage data and evaluating battery performance based on usage data (see, abstract and figure 7-12 and col. 4, line 29 to col. 5, line 21 and col. 5, lines 25-57).

As to claims 27-31, Dodd, Jr. et al. teaches the method further comprising the steps of: confirming golf car inventory based on the golf car identification and establishing a predetermined inventory value and reporting a deviation of the value in the confirmation step and reporting the confirmation to an original equipment manufacturer, insurer, lender having a security interest in the golf cars (see, abstract and figure 4-12 and col. 4, line 29 to col. 5, line 21).


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9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramesh B. Patel whose telephone number is 703-308-6673. The examiner can normally be reached on M-Th; 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anil Khatri can be reached on 703-305-0282. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-9051 for regular communications and 703-305-3718 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

  
Ramesh B. Patel  
Primary Examiner 3/24/04  
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March 22, 2004